



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2682
www.raleighnc.gov

Case File: A-1-18

Property Address: 105 E. Aycock Street

Property Owner: Jade Park LLC

Project Contact: Michael Birch

Nature of Case: A request for a 10' street setback variance from the requirements set forth in Section 5.4.3.F.3., Five Points East neighborhood NCOD, to allow for the construction of a detached house that results in a 28' street setback on a .23 acre site zoned Residential-10 and Neighborhood Conservation Overlay District and located at 105 E. Aycock Street.



105 E. Aycock Street – Location Map

To BOA: 1-8-18

Staff Coordinator: Eric S. Hodge, AICP

ZONING

DISTRICTS: Residential-10 and Neighborhood Conservation Overlay District (Five Points East)



105 E. Aycock Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-6 and Neighborhood Conservation Overlay District (Cameron Park)

R-10: Lot Dimensions

Area (min)	4,000 SF
Width – interior lot (min)	45'
Width – corner lot (min)	60'
Depth -	60'

R-10: Yard Type	Principal Structure Minimum Setback
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'

R-10: Yard Type	Accessory Structure Minimum Setback
Primary Street	50'
Side Street	20'
Side	5'
Rear	5'

Five Points East Neighborhood NCOD

a. Core Area

- i. Maximum lot size: 13,067 square feet.
- ii. Front yard setback: Within 10% of the average front yard setback of houses on the same block face as the new construction.
- iii. Maximum building height: 2 stories, 35 feet. Buildings may exceed 35 feet when the average height of houses on the same block face as the new construction exceeds 35 feet, and then the allowed height shall be within 10% of the average height of houses in the same block face as the new construction.

Application for Variance

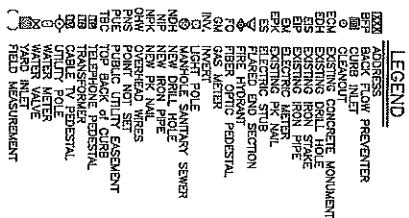


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>I respectfully request a variance to the Residential Infill Compatibility and Neighborhood Conservation Overlay requirements of the Unified Development Ordinance as stipulated in Section 2.2.7 and Section 5.4.3.F.3 of that ordinance. This request would permit a front set back of a residential structure between 27' and 28' where the average front setback of the block face is 16.53' which consists of 2 existing homes and 2 empty lots. The home at 111 E. Aycock Street has a front setback of 20.3' and the home at 115 E. Aycock Street received a variance to decrease its front setback to 12.75'. This request is necessitated by the encumbrance of two storm drainage easements that cut across the front and left side of the property. The proposed structure is to be set as far to the front as possible and is intended to fulfill the intent of the Infill Compatibility requirement to the maximum extent possible. Please refer to the attached Site Plan for clarification and additional information. Your approval of this variance is respectfully requested. Thank you for your time and consideration.</p>	<p>Transaction Number</p> <p>A-1-18</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>None Known</p>	

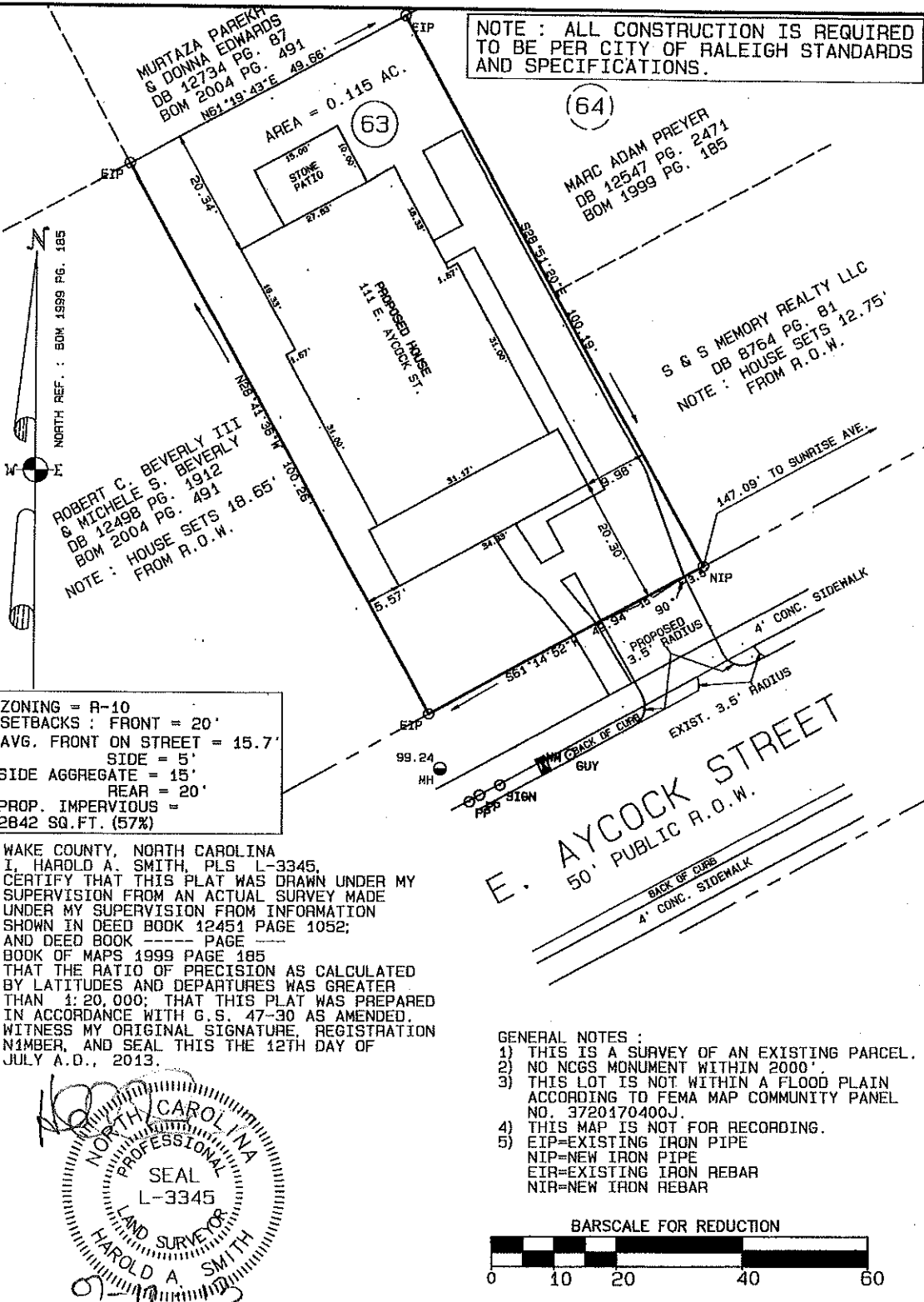
GENERAL INFORMATION			
Property Address 105 E. Aycock Street		Date 12/7/17	
Property PIN 1704772831		Current Zoning R-10	
Nearest Intersection Bickett Blvd		Property size (in acres) 0.23	
Property Owner Jade Park LLC		Phone 919-536-2781	Fax N/A
Owner's Mailing Address 5580 Centerview Drive, Suite 115, Raleigh, NC 27606		Email ryan@revolutionhomes.biz	
Project Contact Person Ryan W. Johnson		Phone 919-536-2781	Fax N/A
Contact Person's Mailing Address 5580 Centerview Drive, Suite 115, Raleigh, NC 27606		Email ryan@revolutionhomes.biz	
Property Owner Signature <i>Ryan W. Johnson</i>		Email	
<p>Notary</p> <p>Sworn and subscribed before me this <u>7th</u> day of <u>December</u>, 20 <u>17</u>.</p>		<p>Notary Signature and Seal</p> <p><i>Linwood E. Barrow</i> <i>Linwood E. Barrow</i> <i>2-2-2021</i></p>	



DECEMBER 7, 2017

RWK, PA
ENGINEERING ~ SURVEYING
101 W. MAIN ST., SUITE 202
GARNER, NC 27529
PHONE (919) 779-4854
FAX (919) 779-4056

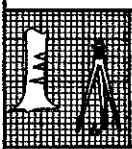
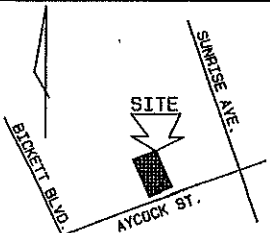
NOTE : ALL CONSTRUCTION IS REQUIRED TO BE PER CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.



LOT 63, BARNES PROPERTY SUBD. AS RECORDED IN BOOK OF MAPS 1999 PAGE 185 OF WAKE COUNTY REGISTER OF DEEDS.

A PROPOSED HOUSE LOCATION FOR
WALTER D. HEATH IV
& HADLEY B. CAIRN HEATH
 RALEIGH, NORTH CAROLINA

HAROLD "TODD" SMITH
 LAND SURVEYING L-3345
 RALEIGH, N.C. (919) 605-6953



DATE : 07-12-13	SCALE : 1" = 20'	F.B. S-189/26 S-184/15	DWG. NO. 213-041C	PROJ. NO. 213-041
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1704772831
JADE PARK LLC
5880 CENTERVIEW DR STE 115
RALEIGH NC 27606

1704770827
GORGON, NANCY A
1708 BICKETT BLVD
RALEIGH NC 27608-2544

1704770863
RUSH, ANNIE S
103 N BEND DR
KNIGHTDALE NC 27545-8903

1704771719
FEREBEE, MARGARET
1704 BICKETT BLVD
RALEIGH NC 27608-2544

1704771767
JADE PARK LLC
5880 CENTERVIEW DR STE 115
RALEIGH NC 27606

1704772695
WATKINS, ARTHUR W III
1642 BICKETT BLVD
RALEIGH NC 27608-2567

1704772703
GILLIAM, ELMER JR GILLIAM, REBECCA
1700 BICKETT BLVD
RALEIGH NC 27608-2544

1704772883
JADE PARK LLC
5880 CENTERVIEW DR STE 115
RALEIGH NC 27606

1704772995
ROGOSICH, EDWARD M ROGOSICH,
ELIZABETH A
1607 SUNRISE AVE
RALEIGH NC 27608-2547

1704773826
JADE PARK LLC
5880 CENTERVIEW DR STE 115
RALEIGH NC 27606

1704773894
HEATH, WALTER D III HEATH, LILA S
111 E AYCOCK ST
RALEIGH NC 27608-2541

1704773996
PAREKH, MURTAZA EDWARDS, DONNA
1605 SUNRISE AVE
RALEIGH NC 27608-2547

1704774618
ECKHARDT, CHAD
108 E AYCOCK ST
RALEIGH NC 27608-2542

1704782040
DEJONG, ARLENE MAE TRUSTEE ALLEN,
MICHAEL K
12609 BIRCHFALLS DR
RALEIGH NC 27614-9072